

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KATHLEEN KUHNS;)	
JOYCE MAZALEWSKI; and)	Civil Action
KATHLEEN TEAY,)	No. 08-cv-02606
)	
Plaintiffs)	
)	
vs.)	
)	
CITY OF ALLENTOWN;)	
CHIEF OF POLICE ROGER MacLEAN,)	
both individually and in his)	
official capacity;)	
ALLENTOWN WOMEN'S CENTER, INC.; and)	
JENNIFER BOULANGER,)	
)	
Defendants)	

O R D E R

NOW, this 15th day of March, 2011, upon consideration
of the following documents:

- (1) Amended Motion for Summary Judgment of Defendants City of Allentown and Chief of Police Roger MacLean filed June 30, 2010 with brief in support;
- (2) Motion of Defendants Allentown Women's Center and Jennifer Boulanger for Summary Judgment filed June 30, 2010 with brief in support;
- (3) Statement of Undisputed Facts in Support of Motion of Defendants Allentown Women's Center and Jennifer Boulanger for Summary Judgment, which statement was filed June 30, 2010;
- (4) Response of the Plaintiffs to Defendants City of Allentown's and Roger MacLean's Amended Motion for Summary Judgment (ECF Document 90), which response was filed August 2, 2010;
- (5) Plaintiffs' Response to Statement of "Undisputed" Facts by Defendants Allentown Women Center and Jennifer Boulanger, which response was filed August 2, 2010;
- (6) Statement of Material Undisputed Facts of Defendants City of Allentown and Chief of

Police Roger MacLean, which statement was filed August 10, 2010;

- (7) Plaintiffs' Response to Statement of Material "Undisputed" Facts of Defendants City of Allentown and Roger MacLean (ECF Doc. 99), which response was filed August 16, 2010;
- (8) Reply Memorandum of Law in Support of Motion of Defendants Allentown Women's Center and Jennifer Boulanger for Summary Judgment, which reply was filed August 23, 2010; and
- (9) Reply Brief in Support of Amended Motion for Summary Judgment of Defendants City of Allentown and Chief of Police Roger MacLean, which reply was filed August 25, 2010;

and for the reasons articulated in the accompanying Opinion,

IT IS ORDERED that the Amended Motion for Summary Judgment of Defendants City of Allentown and Chief of Police Roger MacLean is granted.

IT IS FURTHER ORDERED that judgment is entered in favor of defendants City of Allentown, Chief of Police Roger MacLean, Allentown Women's Center, Inc. and against plaintiffs Kathleen Kuhns, Joyce Mazalewski and Kathleen Teay on Counts I and IV of plaintiffs' Complaint.

IT IS FURTHER ORDERED that the Motion of Defendants Allentown Women's Center and Jennifer Boulanger for Summary Judgment is granted in part and denied in part.

IT IS FURTHER ORDERED that judgment is entered in favor of defendants Allentown Women's Center and Jennifer Boulanger on Count I of plaintiffs' Complaint.

IT IS FURTHER ORDERED that the Motion of Defendants Allentown Women's Center and Jennifer Boulanger for Summary Judgment concerning Count IV of plaintiffs' Complaint is denied.¹

BY THE COURT:

/s/ James Knoll Gardner
James Knoll Gardner
United States District Judge

¹ By my Order and Opinion dated and filed March 31, 2009 granting defendants' motion to dismiss Counts II and III of the Complaint, and the above rulings in the within Order, Count IV alleging a Pennsylvania state-law claim for public nuisance against defendants Allentown Women's Center and Jennifer Boulanger is the only remaining count in this action.